

# MANKO GOLD KATCHER FOX LLP

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE



Matthew C. Sullivan  
484-430-2305  
msullivan@mgkflaw.com

*Admitted in PA and NJ*

401 CITY AVENUE, SUITE 901  
BALA CYNWYD, PA 19004  
TEL: 484-430-5700  
FAX: 484-430-5711  
WWW.MANKOGOLD.COM

December 19, 2014

Regional Freedom of Information Officer  
U.S. EPA, Region 4  
AFC Building  
61 Forsyth Street, S.W., 9<sup>th</sup> Floor (4PM/IF)  
Atlanta, GA 30303-8960

PHILADELPHIA, PA  
\*CHERRY HILL, NJ  
WILLIAMSPORT, PA  
*by appointment only*

*\*Partner responsible - Bruce S. Katcher*

Re: Freedom of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, I hereby request a copy of any and all documents relating to information requests sent to potentially responsible parties ("PRPs") pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et. seq., for the facility commonly referred to as the Chemtronics Site in Swannanoa, North Carolina, and also known as the Bee Tree Facility and the Jet Research Center (the "Site"). The Site is comprised of approximately 1,027 acres in Buncombe County and is located at 180 Old Bee Tree Road. The center of the Site lies roughly at latitude 35° 38' 18" north and longitude 82° 26' 8" west.

The documents sought by this request include, but are not limited to, all requests sent to PRPs for the Site pursuant to Section 104(e) and all responses thereto received. The Site was owned and/or operated by Oerlikon Tool and Arms Corporation of America from 1952-1959, Celanese Corporation of America (an entity related to Hoechst-Celanese Corporation) from 1959-1965, Northrop Carolina, Inc. (an entity related to Northrop Corporation) from 1965-1971, and Airtronics, Inc. and Chemtronics, Inc. (entities related to Halchem, Inc., and Halliburton Company) from 1971 thru the present. The Site was also operated under the name of Amcel Propulsion, Inc., from 1959-1965. By way of example, and without limiting the scope of this request, documents demonstrate that Section 104(e) requests were sent to Hoechst-Celanese, Northrop Corporation and Chemtronics, Inc., in 1989.

If any documents or portions thereof are withheld, we request that you identify at the time of the document production or review, any and all material which is withheld, and to provide an explanation and justification for withholding the information to 5 U.S. C. § 552(a)(6). For each item withheld, we request that you identify the exemption that allows the withholding of the

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requested information. In addition, we request that you identify the official to whom appeals may be directed.

Please advise if the responsive documents are voluminous (that is, copying charges are expected to exceed \$200.00). In that case, we may arrange to review the documents prior to copying.

Please contact me at (484) 430-2305 with any questions you have about this request. Thank you for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. Sullivan', with a long horizontal flourish extending to the right.

Matthew C. Sullivan  
For MANKO, GOLD, KATCHER & FOX, LLP

MCS/10671/0038